

furtherance of such crime, did possess a firearm, and did aid and abet the use, carrying, and possession of a firearm.

(Title 18, United States Code, Sections 924(c)(1)(A)(i) and 2.)

COUNT NINE

(Misprision of a Felony)

The Grand Jury further charges:

28. In or about June 2014, in the Southern District of New York and elsewhere, BERTRAM DUKE, a/k/a "Birdy," the defendant, having knowledge of the actual commission of a felony cognizable in a court of the United States, namely, the murder-for-hire conspiracy charged in Count Four of this Indictment, knowingly did conceal and did not as soon as possible make known the same to some judge or other person in civil or military authority in the United States.

(Title 18, United States Code, Section 4.)

FORFEITURE ALLEGATIONS AND SUBSTITUTE ASSET PROVISION

FORFEITURE ALLEGATION AS TO COUNT ONE

29. As a result of committing the offense alleged in Count One of this Indictment, ROBERT DEBELLO, a/k/a "Old Man," a/k/a "Bobby," a/k/a "Grandpa," STEVEN PASTORE, RYAN ELLIS, a/k/a "Joseph Princi," a/k/a "Baldy," a/k/a "Lazy Eye," a/k/a "Zeus," SALVATORE DELLIGATTI, a/k/a "Jay," a/k/a "Fat Sal," and LUIGI CAMINITI, the defendants, shall forfeit to the United States,

pursuant to Title 18, United States Code, Section 1963,

a. any interest acquired or maintained as a result of the racketeering activity charged in Count One;

b. any interest in, security of, claim against, or property or contractual right of any kind affording a source of influence over, any enterprise established, operated, controlled, conducted, or participated in the conduct of as a result of the racketeering activity charged in Count One; and

c. any property constituting, or derived from, any proceeds obtained, directly or indirectly, from the racketeering activity and collection of unlawful debt charged in Count One.

FORFEITURE ALLEGATION AS TO COUNT FOUR

30. As a result of committing the offense charged in Count Three of this Indictment, SALVATORE DELLIGATTI, a/k/a "Jay," a/k/a "Fat Sal," LUIGI ROMANO, a/k/a "Louie Sunoco," and BERTRAM DUKE, a/k/a "Birdy," the defendants, shall forfeit to the United States pursuant to Title 18, United States Code, Section 981(a)(1)(C), and Title 28, United States Code, Section 2461, any and all property, real or personal, that constitutes or is derived from proceeds traceable to the commission of the offense charged in Count Four of this Indictment.

FORFEITURE ALLEGATION AS TO COUNT FIVE

31. As a result of committing the offense charged in

Count Four of this Indictment, ROBERT DEBELLO, a/k/a "Old Man," a/k/a "Bobby," a/k/a "Grandpa," STEVEN PASTORE, RYAN ELLIS, a/k/a "Joseph Princi," a/k/a "Baldy," a/k/a "Lazy Eye," a/k/a "Zeus," SALVATORE DELLIGATTI, a/k/a "Jay," a/k/a "Fat Sal," LUIGI CAMINITI, SCOTT JACOBSON, FRANK CELSO, MICK SOKOL, SPYRO ANTONAKOPOULOS, MICHAEL KARNBACH, a/k/a "Combat," and JONATHAN DESIMONE, the defendants, shall forfeit to the United States, pursuant to Title 18, United States Code, Section 981(a)(1)(C) and Title 28, United States Code, Section 2461, any and all property, real or personal, that constitutes or is derived from proceeds traceable to the commission of the offense charged in Count Five of this Indictment.

Substitute Asset Provision

32. If any of the above described forfeitable property, as a result of any act or omission of the defendants:

- a. Cannot be located upon the exercise of due diligence;
- b. Has been transferred or sold to, or deposited with, a third person;
- c. Has been placed beyond the jurisdiction of the

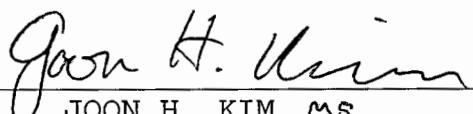
Court;

d. Has been substantially diminished in value; or
e. Has been commingled with other property which cannot be subdivided without difficulty;
it is the intent of the United States, pursuant to Title 18, United States Code, Section 1963(m) and Title 21, United States Code, Section 853(p), to seek forfeiture of any other property of said defendants up to the value of the forfeitable property.

(Title 18, United States Code, Sections 492, 981(a)(1)(C), 982(a)(2)(B), and 1963, and Title 21, United States Code, Section 853, and Title 28, United States Code, Section 2461.)



FOREPERSON



JOON H. KIM ms
Acting United States Attorney

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA

- v. -

ROBERT DEBELLO, a/k/a "Old Man," a/k/a "Bobby," a/k/a "Grandpa," STEVEN PASTORE, RYAN ELLIS, a/k/a "Joseph Princi," a/k/a "Baldy," a/k/a "Lazy Eye," a/k/a "Zeus," SALVATORE DELLIGATTI, a/k/a "Jay," a/k/a "Fat Sal," LUIGI ROMANO, a/k/a "Louie Sunoco," BERTRAM DUKE, a/k/a "Birdy," LUIGI CAMINITI, SCOTT JACOBSON, FRANK CELSO, MICK SOKOL, SPYRO ANTONAKOPOULOS, MICHAEL KARBACH, a/k/a "Combat," and JONATHAN DESIMONE,

Defendants.

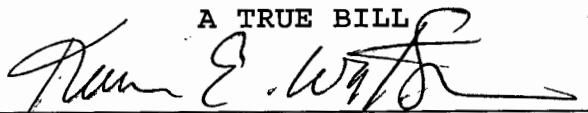
SUPERSEDING INDICTMENT

S8 15 Cr. 491 (LTS)

(18 U.S.C. §§ 4, 1962, 1959, 1958,
1955, 924(c), and 2.)

JOON H. KIM
Acting United States Attorney.

A TRUE BILL



Foreperson.

TRUE BILL, SUPERSEDING INDICTMENT

MAG. JUDGE RONALD L. ELLIS

5-25-17

